

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)**  
**DECLARATION AND POWER OF ATTORNEY**

**FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **TELECOMMUNICATIONS SYSTEM AND METHOD FOR DELIVERY OF SHORT MESSAGE SERVICE MESSAGES TO A MOBILE TERMINAL IN DATA MODE**, the specification of which: (mark only one)

- X   (a) is attached hereto.  
      (b) was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)  
      (c) was filed as PCT International Application No. PCT/ \_\_\_\_\_ on \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).  
      (d) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was issued a Notice of Allowance on \_\_\_\_\_.  
      (e) was filed on \_\_\_\_\_ and bearing attorney docket number \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this CIP application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the

subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/Year Filed</u>	<u>Date first laid-open or Published</u>	<u>Date patented or Granted</u>	<u>Priority Claimed</u>	
					<u>Yes</u>	<u>No</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

<u>Application No. (series code/serial no.)</u>	<u>Month/Day/Year Filed</u>	<u>Status(pending, abandoned, patented)</u>
_____	_____	_____
_____	_____	_____

I hereby appoint:

TIMOTHY G ACKERMANN, Reg No 44,493  
BENJAMIN J BAI, Reg No 43,481  
MICHAEL J BLANKSTEIN, Reg No 37,097  
MARY JO BOLDINGH, Reg No 34,713  
MARGARET A BOULWARE, Reg No 28,708  
MATTHEW O BRADY, Reg No 44,554  
DANIEL J BURNHAM, Reg No 39,618  
THOMAS L CANTRELL, Reg No 20,849  
RONALD B COOLLEY, Reg No 27,187  
THOMAS L CRISMAN, Reg No 24,846  
STUART D DWORK, Reg No 31,103  
WILLIAM F ESSER, Reg No 38,053  
ROGER J FRENCH, Reg No 27,786  
JANET M GARETTO, Reg No 42,568  
MARK GATSCHET, Reg No 42,569  
JOHN C. GATZ, Reg No 41,774  
RUSSELL J GENET, Reg No 42,571  
GERALD H GLANZMAN, Reg No 25,035

LEKHA GOPALAKRISHNAN, Reg No 46,733  
J KEVIN GRAY, Reg No 37,141  
STEVEN R GREENFIELD, Reg No 38,166  
JOSHUA A GRISWOLD, Reg No 46,310  
J PAT HEPTIG, Reg No 40,643  
SHARON A ISRAEL, Reg No 41,867  
JOHN R KIRK JR., Reg No 24,477  
PAUL R KITCH, Reg No 38,206  
TIMOTHY M KOWALSKI, Reg No 44,192  
JAMES F LEA III, Reg No 41,143  
HSIN-WEI LUANG, Reg No 44,213  
ROBERT W MASON, Reg No 42,848  
ROGER L MAXWELL, Reg No 31,855  
LISA H MEYERHOFF, Reg No 36,869  
STANLEY R MOORE, Reg No 26,958  
RICHARD J MOURA, Reg No 34,883  
MARK V MULLER, Reg No 37,509  
P WESTON MUSSELMAN JR Reg No 31,644  
DANIEL G NGUYEN, Reg No 42,933  
SPENCER C PATTERSON, Reg No 43,849

RUSSELL N RIPPAMONTI, Reg No 39,521  
ROSS T ROBINSON, Reg No 47,031  
STEPHEN G RUDISILL, Reg No 20,087  
HOLLY L RUDNICK, Reg No 43,065  
JL JENNIE SALAZAR, Reg No 45,065  
KEITH W SAUNDERS, Reg No 41,462  
JERRY R SELINGER, Reg No 26,582  
JAMES O SKARSTEN, Reg No 28,346  
ZACHARY J SMOLINSKI, Reg No 47,100  
GARY B SOLOMON, Reg No 44,347  
ROBERT C STRAWBRICH, Reg No 36,692  
STEVE Z SZCZEPANSKI, Reg No 27,957  
ANDRE M SZUWALSKI, Reg No 35,701  
ALAN R THIELE, Reg No 30,694  
TAMSEN VALOIR, Reg No 41,417  
BRIAND WALKER, Reg No 37,751  
GERALD T WELCH, Reg No 30,332  
HAROLD N WELLS, Reg No 26,044  
WILLIAM D WIESE, Reg No 45,217

all of the firm of **JENKENS & GILCHRIST, P.C.**, 3200 Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization

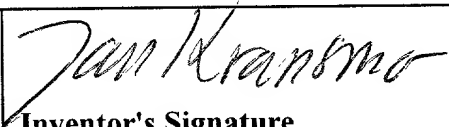
who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.


Please address all correspondence and direct all telephone calls to:

Andre M. Szuwalski  
Jenkins & Gilchrist, P.C.  
3200 Fountain Place  
1445 Ross Avenue  
Dallas, Texas 75202-2799  
214/855-4795  
214/855-4300 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

1	JAN KRANS MO		7/17/01
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	2504 Deer Horn Drive Plano, Texas 75025		
	<b>Residence</b> (city, state, country)	Swedish <b>Citizenship</b>	
	2504 Deer Horn Drive Plano, Texas 75025		
	<b>Post Office Address</b> (include zip code)		

2	BO LEE		06/26/2001
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	3708 Legendary Lane Plano, Texas 75023  <div style="display: flex; justify-content: space-between;"> <span><b>Residence</b> (city, state, country)</span> <span>U.S.</span> </div> <div style="text-align: right;"><b>Citizenship</b></div>		
3708 Legendary Lane Plano, Texas 75023  <b>Post Office Address</b> (include zip code)			

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